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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/729,085	12/05/2003	Tony Caporicci	DBS-100-A	8827

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EXAMINER	
MONTOYA, OSCHTA I	

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	11/218,010	KAFKA, HENRY	
	Examiner	Art Unit	
	Shannon R. Brooks	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 September 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *01 September 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-2, 6-8, 11-12, and 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emery (US 20060104431 A1) in view of Kundaje (US 7039395 B2).

Consider **Claim 1**, Emery teaches a method for providing a telecommunications extension service for a subscriber, comprising: receiving an incoming communication from a calling party to a telecommunications unit associated with the subscriber, wherein the telecommunications unit is associated with a plurality of other telecommunications units to be simultaneously rung (Pg. 4, [0048]); placing outgoing communications to the telecommunications unit and the plurality of other telecommunications units (Pg. 4, [0048], Pg. 5, [0061]-Pg. 6, [0075] and Figs 2 and 3); connecting the incoming communication to the first telecommunications unit to be answered (Pg. 6, [0072]-[0075] and Pg. 7, [0085]); dropping each of the outgoing communications other than the outgoing communication associated with the first telecommunications unit to be answered (Pg. 6, [0075]); but Emery fails to specifically teach after dropping each of the outgoing communications other than the outgoing communication

associated with the first telecommunications unit to be answered, connecting at least one unanswered telecommunications unit to the incoming communication, wherein the incoming communication remains connected to the first telecommunications unit answered.

However, Kundaje teaches after dropping each of the outgoing communications other than the outgoing communication associated with the first telecommunications unit to be answered (read as notification messages sent to other outgoing communications devices informing them that a the first answering device has been selected for call set up, Col. 6, lines 11-21), connecting at least one unanswered telecommunications unit to the incoming communication, wherein the incoming communication remains connected to the first telecommunications unit answered (read as other members may join, Col. 6, line 11-21).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine the teaching of Emery and Kundaje in order to aid in allowing others to join a call (Col. 6, line 11-21)

Consider **Claim 11**, Emery teaches a system for providing a telecommunications extension service for a subscriber, comprising: programmable service means operative to: receive an incoming communication from a calling party to a telecommunications unit associated with the subscriber, wherein the telecommunications unit is associated with a plurality of other telecommunications units to be simultaneously rung (Pg. 4, [0048] and Pg. 7, [0085]); and query programmable determination means for processing instructions for the incoming communication (read as Java based steplets, Pg. 2, [0016]-[0021] and Fig. 3); the programmable determination means in communication with the programmable service means operative to: provide the

processing instructions for the incoming communication to the programmable service means, wherein the processing instructions include directions to place outgoing communications to the telecommunications unit and each of the plurality of other telecommunications units to be simultaneously rung (Pg. 4, [0048], Pg. 5, [0061]-Pg. 6, [0075] and Pg. 7, [0085]); and the programmable service means further operative to: receive the processing instructions from the programmable determination means (Pg. 2, [0026]-[0031], Pg. 3, [0032]-[0043] and Pg. 4, [0044]-[0045]); place outgoing communications to the telecommunications unit and each of the plurality of telecommunications units (Fig. 3 and Pg. 5, [0061]-[0071] and Pg. 6, [0072]-[0075] and Pg. 7, [0085]); connect the incoming communication to the first telecommunications unit to be answered (Pg. 6, [0072]-[0075] and Pg. 7, [0085]); drop each of the outgoing communications other than the outgoing communication associated with the first telecommunications unit to be answered (Pg. 6, [0075] and Pg. 7, [0085]); but Emery fails to specifically teach after dropping each of the outgoing communications other than the outgoing communication associated with the first telecommunications unit to be answered, connect at least one unanswered telecommunications unit to the incoming communication, wherein the incoming communication remains connected to the first telecommunications unit answered.

However, Kundaje teaches after dropping each of the outgoing communications other than the outgoing communication associated with the first telecommunications unit to be answered (read as notification messages sent to other outgoing communications devices informing them that a the first answering device has been selected for call set up, Col. 6, lines 11-21), connecting at least one unanswered telecommunications unit to the incoming

communication, wherein the incoming communication remains connected to the first telecommunications unit answered (read as other members may join, Col. 6, line 11-21).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine the teaching of Emery and Kundaje in order to aid in allowing others to join a call (Col. 6, line 11-21)

Consider **Claim 2**, Emery teaches the method of claim 1, but Emery fails to teach the method after dropping each of the outgoing communications other than the outgoing communication associated with the first telecommunications unit to be answered, receiving an indication from the at least one unanswered telecommunications unit to connect the at least one unanswered telecommunications unit to the incoming communication.

However, Kundaje teaches after dropping each of the outgoing communications other than the outgoing communication associated with the first telecommunications unit to be answered (read as notification messages sent to other outgoing communications devices informing them that a the first answering device has been selected for call set up, Col. 6, lines 11-21), and Kundaje teaches receiving an indication from the at least one unanswered telecommunications unit to connect the at least one unanswered telecommunications unit to the incoming communication (read as receiving an indication that others may join, Pg. 6, lines 11-21).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine the teaching of Emery and Kundaje in order to aid in allowing others to join a call (Col. 6, line 11-21)

Consider **Claim 6**, Emery teaches the method of claim 1, further comprising after connecting the incoming communication to the first telecommunications unit to be answered, notifying each of the telecommunications units other than the first telecommunications unit that the incoming call has been connected (Pg. 6, [0072]-[0075]).

Consider **Claim 7**, Emery teaches the method of claim 1, further comprising displaying at each of the telecommunications units a notification that the incoming communication is connected (read as sending message objects, (Pg. 3, [0040].

Consider **Claim 8,** Emery teaches the method of claim 1, further comprising: in response to receiving an incoming communication from the calling party, determining whether the telecommunications unit and each of the plurality of other telecommunications units to be simultaneously rung are available (read as checking presence, Pg. 5, [0069]).

Consider **Claim 12**, Emery teaches the system of claim 11, wherein the programmable service means is further operative to receive a notification from the at least one unanswered telecommunications unit to connect the at least one unanswered telecommunications unit to the incoming communication (Fig. 3, and Pg. 5, [0068]-[0071]).

Consider **Claim 16**, Emery teaches the system of claim 11, wherein the programmable service means is further operative to notify each of the telecommunications units other than the first telecommunications unit to be answered that the incoming call has been connected (Pg. 6, [0072]-[0075] and Fig. 3 and Pg. 4, [0048]).

Consider **Claim 17**, Emery teaches the system of claim 11, wherein the programmable determination means is further operative to determine, in response to receiving the incoming communication from the calling party, whether the telecommunications unit and each of the

plurality of other telecommunications units to be simultaneously rung are available (read as presence detection, Pg. 5, [0067]-[0071]).

Consider **Claim 18**, Emery teaches the system of claim 11, wherein the programmable service means includes a switch (read as Service Broker (Pg. 4, [0046]-[0053]).

Consider **Claim 19**, Emery teaches the system of claim 11, wherein the programmable determination means includes a service control point (read as Presence Server, Pg. 5, [0069]-[0071]).

3. **Claims 3-5, and 13-15** rejected under 35 U.S.C. 103(a) as being unpatentable over Emery (US 20060104431 A1) in view of Kundaje (US 7039395 B2) and further in view of O'Neil (US 2006/0153353 A1).

Consider **Claim 3**, Emery teaches the method of claim 1, further comprising: monitoring the incoming communication connected to the first telecommunications unit answered and the at least one unanswered telecommunications unit (Pg. 7, [0085]) but Emery fails to teach monitoring for disconnection of one unit of the first telecommunications unit answered and the at least one unanswered telecommunications unit; and in response to detecting the disconnection of the one unit, disconnecting the incoming communication from the one unit, wherein the incoming communication remains connected to the units other than the one unit.

However, Oneil teaches monitoring for disconnection of one unit of the first telecommunications unit answered and the at least one unanswered telecommunications unit (Fig. 2b, Block 224, Fig. 2c, Block 240 and pg. 6, [0037] and Pg. 3, [0023]-[0024]); and in

response to detecting the disconnection of the one unit, disconnecting the incoming communication from the one unit, wherein the incoming communication remains connected to the units other than the one unit (Fig. 2b, Block 224, Fig. 2c, Block 240 and pg. 6, [0037] and Pg. 3, [0023]-[0024] and Pg. 4, [0025]).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine the teaching of Emery and O'Neil in order to aid in terminations (Pg. 3, [0023]-[0024])

Consider **Claim 4**, Emery teaches the method of claim 1, further comprising: monitoring the incoming communication connected to the first telecommunications unit answered and the at least one unanswered telecommunications unit (Pg. 7, [0085]) but Emery fails to specifically teach and monitor for disconnection of the first telecommunications unit to be answered and the at least one unanswered telecommunications unit or for disconnection of the calling party; and in response to detecting the disconnection of the first telecommunications unit answered and the at least one unanswered telecommunications unit or the disconnection of the calling party, disconnecting the incoming communication.

However, O'Neil teaches and monitor for disconnection of the first telecommunications unit to be answered and the at least one unanswered telecommunications unit or for disconnection of the calling party (Fig. 2b, Block 224, Fig. 2c, Block 240 and pg. 6, [0037] and Pg. 3, [0023]-[0024] and Pg. 4, [0025]); and in response to detecting the disconnection of the first telecommunications unit answered and the at least one unanswered telecommunications unit or the disconnection of the calling party, disconnecting the incoming communication (Fig. 2b, Block 224, Fig. 2c, Block 240 and pg. 6, [0037] and Pg. 3, [0023]-[0024] and Pg. 4, [0025]).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine the teaching of Emery and O'Neil in order to aid in terminations (Pg. 3, [0023]-[0024])

Consider **Claim 5**, Emery teaches the method of claim 4, further comprising: but Emery fails to specifically teach the method further comprising after disconnecting the incoming communication, notifying each of the telecommunications units other than the first telecommunications unit to be answered and the at least one unanswered telecommunications unit that the incoming communication has been disconnected.

However, O'Neil teaches after disconnecting the incoming communications, notifying each of the telecommunications units other than the first telecommunications unit to be answered and the at least one unanswered telecommunications unit that the incoming communication has been disconnected (read as disconnected and forwarded, Fig. 2b, Block 224, Fig. 2c, Block 240 and pg. 6, [0037] and Pg. 3, [0023]-[0024] and Pg. 4, [0025]).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine the teaching of Emery and O'Neil in order to aid in controlling secondary call treatments, Pg. 4, [0025]).

Consider **Claim 13**, Emery teaches the system of claim 11, wherein the programmable service means is further operative to: monitor the incoming communication connected to the first telecommunications unit answered and the at least one unanswered telecommunications unit (Pg. 7, [0085]), but Emery fails to specifically teach and monitor for disconnection of one unit of the first telecommunications unit answered and the at least one unanswered telecommunications unit; and in response to detecting the disconnection of the one unit, disconnect the incoming

communication from the one unit, wherein the incoming communication remains connected to the unit other than the one unit.

However, Oneil teaches monitoring for disconnection of one unit of the first telecommunications unit answered and the at least one unanswered telecommunications unit (Fig. 2b, Block 224, Fig. 2c, Block 240 and pg. 6, [0037] and Pg. 3, [0023]-[0024]); and in response to detecting the disconnection of the one unit, disconnecting the incoming communication from the one unit, wherein the incoming communication remains connected to the units other than the one unit (Fig. 2b, Block 224, Fig. 2c, Block 240 and pg. 6, [0037] and Pg. 3, [0023]-[0024] and Pg. 4, [0025]).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine the teaching of Emery and O'Neil in order to aid in terminations (Pg. 3, [0023]-[0024])

Consider **Claim 14**, Emery teaches the system of claim 11, wherein the programmable service means is further operative to: monitor the incoming communication connected to the first telecommunications unit answered and the at least one unanswered telecommunications unit (Pg. 7, [0085]), but Emery fails to specifically teach and monitor for disconnection of the first telecommunications unit answered and the at least one unanswered telecommunications unit or for the disconnection of the calling party; and in response to detecting the disconnection of the first telecommunications unit answered and the at least one unanswered telecommunications unit or the disconnection of the calling party, disconnect the incoming communication.

However, O'Neil teaches and monitor the incoming communication connection to the first telecommunications unit answered and the at least one unanswered telecommunications unit

or for disconnection of the calling party (Fig. 2b, Block 224, Fig. 2c, Block 240 and pg. 6, [0037] and Pg. 3, [0023]-[0024] and Pg. 4, [0025]); and in response to detecting the disconnection of the first telecommunications unit answered and the at least one unanswered telecommunications unit or the disconnection of the calling party, disconnecting the incoming communication (Fig. 2b, Block 224, Fig. 2c, Block 240 and pg. 6, [0037] and Pg. 3, [0023]-[0024] and Pg. 4, [0025]).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine the teaching of Emery and O'Neil in order to aid in terminations (Pg. 3, [0023]-[0024])

Consider **Claim 15**, Emery teaches the system of claim 14, wherein the programmable service means is further operative to notify each of the telecommunications units other than the first telecommunications unit to be answered and the at least one unanswered telecommunications unit that the incoming communication has been disconnected (Fig. 2b, Block 224, Fig. 2c, Block 240 and pg. 6, [0037] and Pg. 3, [0023]-[0024] and Pg. 4, [0025]).

4. Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emery (US 20060104431 A1) in view of Kundaje (US 7039395 B2) and further in view of Poustchi (US 2006/0067300 A1)

Consider **Claim 9**, Emery teaches the method of claim 10, but Emery fails to specifically teach the method wherein the telecommunications unit and the plurality of other telecommunications units include wireline, wireless, and VoIP telecommunications units.

However, Poustchi teaches the method wherein the telecommunications unit and the plurality of other telecommunications (Figs. 1 and 2, and Pg, 1, [0002]-[0011] and Pg. 5, [0067]).

Therefore, it would have been obvious to one skilled in the at the time of the invention to combine the teaching of Emery and Poustchi to enable use of a range of network devices (Pg. 5, [0067]).

Consider **Claim 10**, Emery teaches the method of claim 11, wherein determining whether the wireless telecommunications units are available includes sending a query message to one or more home location registers requesting a status of the wireless telecommunications units (Pg. 5, [0069]); but Emery fails to specifically teach the method wherein determining whether the wireline telecommunications units are available includes sending a query message requesting status of the wireline telecommunications units; and Emery also fails to specifically teach wherein determining whether the VoIP telecommunications units are available includes sending a query message requesting status of the VoIP telecommunications units.

However, Poustchi teaches the method wherein determining whether the wireline telecommunications units are available includes sending a query message requesting status of the wireline telecommunications units (Fig. 1 and 2, and Pg. 2, [0027], Pg. 5, [0064], Pg. 8, [0090]-[0091]); and further, Poustchi teaches wherein determining whether the VoIP telecommunications units are available includes sending a query message requesting status of the VoIP telecommunications unit (Pg. 2, [0027], Pg. 5, [0064], Pg. 8, [0090]-[0091]).
Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine the teaching of Emery and Poustchi in order to aid in determining the status of the call

(Pg. 2, [0027]).

5. **Claim 20** is rejected under 35 U.S.C. 103(a) as being unpatentable over Emery (US 20060104431 A1) in view of O'Neil (US 2006/0153353 A1).

Consider **Claim 20**, Emery teaches a method for providing a telecommunications extension service for a subscriber, comprising: receiving an incoming communication from a calling party to a telecommunications unit associated with the subscriber, wherein the telecommunications unit is associated with a plurality of other telecommunications units to be simultaneously rung (Pg. 4, [0048] and Pg. 7, [0085]); placing outgoing communications to the telecommunications unit and the plurality of other telecommunications units; connecting the incoming communication to the first telecommunications unit to be answered (Pg. 4, [0048], Pg. 5, [0061]-Pg. 6, [0075] and Pg. 7, [0085]); notifying each of the telecommunications units other than the first telecommunications unit to be answered that the incoming communication is connected (Pg. 6, [0072]-[0075] and Fig. 3); dropping each of the outgoing communications other than the outgoing communication associated with the first telecommunications unit to be answered (Pg. 5, [0061]-[0071] and Pg. 6, [0072]-[0075] and Pg. 7, [0084]); detecting disconnection of either the calling party associated with the incoming communication or the first telecommunications unit to be answered (read as Presence Server, Pg. 5, [0069] and Fig. 3, Block 205); Emery fails to specifically teach and in response to detecting the disconnection, disconnecting the incoming communication and notifying each of the telecommunications units

other than the first telecommunications unit to be answered that the incoming communication is disconnected.

However, O'Neil teaches and in response to detecting the disconnection, disconnecting the incoming communication and notifying each of the telecommunications units other than the first telecommunications unit to be answered that the incoming communication is disconnected (Fig. 2b, Block 224, Fig. 2c, Block 240 and pg. 6, [0037] and Pg. 3, [0023]-[0024]). Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine the teaching of Emery and O'Neil in order to aid in terminations (Pg. 3, [0023]-[0024])

Conclusion

6. Any response to this Office Action should be **faxed to** (571) 273-8300 **or mailed to**:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Hand-delivered responses should be brought to

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

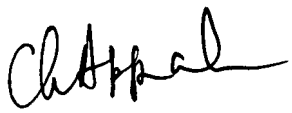
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shannon Brooks whose telephone number is (571) 270-1115. The examiner can normally be reached on Monday - Friday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on (571) 272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shannon R. Brooks

September 22, 2007



CHARLES N. APPIAH
SUPERVISORY PATENT EXAMINER